

**2019 APAAC Annual Prosecutor Conference**  
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**Arizona Grand Resort & Spa**  
**Phoenix, Arizona**



**The Sovereign Citizen Movement:  
Nuisance or Danger?**

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Distributed by:

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**ELIZABETH BURTON ORTIZ**

**EXECUTIVE DIRECTOR**



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#### SOVEREIGN CITIZEN MOVEMENT

- Influenced by several earlier movements:  
Tax Protestors 1950's  
Posse Comitatus movement 1970's  
Patriot Movement 1990's  
Common-Law Courts



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#### SOVEREIGN CITIZEN MOVEMENT

Current groups that adhere to some or all of the Sovereign Citizen doctrine include:

- White Supremacists - Neo Nazi, KKK, Aryan Brotherhood
- Militia Movement
- Moorish Sovereigns
- Prison inmates



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## IDEOLOGY – 2 PILLARS

- Citizenship
- Redemption Theory



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## IDEOLOGY - CITIZENSHIP

- Two types of citizens:
  - "De jure" citizen
    - Original citizen of the states
    - Inalienable rights established under the Declaration of Independence
    - Enjoys all rights under the Constitution
    - Not subject to current Federal or local statute or regulation
    - Governed by "common" or "natural" law

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## IDEOLOGY - CITIZENSHIP

- Federal or 14<sup>th</sup> Amendment citizens
  - Subject to Federal and local statutes and regulations
  - Applies to anyone who did not have citizenship before the 14<sup>th</sup> Amendment
  - Applies to everyone else that has not properly divested their 14<sup>th</sup> Amendment citizenship because everyone has contracted away their Constitutional rights by accepting benefits from the Federal Government.

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# REDEMPTION THEORY



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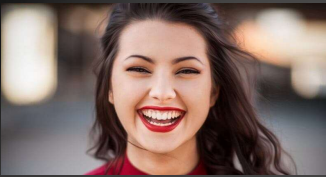
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## IDEOLOGY - REDEMPTION THEORY

- Two types of persons
  - True flesh and blood person
  - "Strawman" or corporate entity



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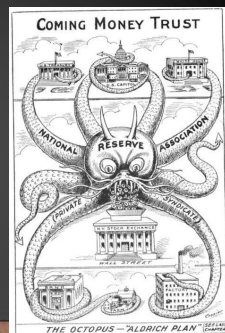
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## IDEOLOGY - REDEMPTION THEORY

- Background:
  - In the early to mid-20th century baking conspiracy theories proliferated
- Redemption theorists look to two key events:
  - Creation of the Federal Reserve in 1913
  - Abandonment of gold standard in 1933
- Current theory is that U.S. went bankrupt in 1933 and had to substitute the future earnings of its citizens as collateral.



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**IDEOLOGY – REDEMPTION THEORY**

- How it works:
  - Upon issuance of a social secretary number and birth certificate, an account is set up in the U.S. Treasury in the name of the person. This is the corporate entity.
  - A large sum of money is deposited into this account (between \$600,000 and \$20,000,000).
  - This money is accessible if the citizen knows and can execute the proper legal "incantation".



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**Driver's License Test...**



**STRAMINEUS HOMO:** Latin - A man of straw, one of no substance, put forward as bail or surety.  
Black's Law Dictionary, 6th Edition, page 1421.

Now how does this affect you? Look on your driver's license...All caps. Look at the bottom. Oops, you signed the contract! Did you reserve the rights for the human with the same name in that contract?

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**SOME SPECIAL IDEAS OF SOVEREIGN CITIZENS...**

**YOU KEEP USING THAT WORD**



**I DO NOT THINK IT MEANS WHAT YOU THINK IT MEANS**

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### FRINGES ON THE FLAG

- Sov Cits for some reason believe that fringed flags are "Flags of War" that convert the Court's jurisdiction into that of an Admiralty Court.
- 4 U.S. Code §§1-10 Official Flag etc.... (preceded by Act of April 4, 1818, chapter 34)
  - "The flag of the United States shall be thirteen horizontal stripes, alternate red and white; and the union of the flag shall be forty-eight stars, white in a blue field." §1

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### FRINGES ON THE FLAG

- A 1925 Attorney General's Opinion (34 Op. Atty. Gen 483) dealt directly with the symbolism of any accoutrements added to the flag:
- In January 1923 President Harding sent an official request to his Attorney General to define what precisely is the U.S. National Flag. 7 months later Harding died of a heart attack. In May of 1925 the A.G.'s office finally got around to responding.
  - "The fringe does not appear to be regarded as an integral part of the flag, and its presence cannot be said to constitute an unauthorized additional to the design prescribed by statute. An external fringe is to be distinguished from letters, words or emblematic designs printed or superimposed upon the body of the flag itself. Under the law such additions might be open to objection as unauthorized; but the same is not necessarily true of the fringe."

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### FRINGES ON THE FLAG

- According to the U.S. Army's The Institute of Heraldry (TIOH) flag fringe began to be used by the Army in the 1830s with official adoption in 1895. However, "it is the custom not to use fringe on flags displayed from stationary flagpoles and, traditionally, fringe has not been used on internment flags." (<https://web.archive.org/web/20060911213421/http://www.tioh.hqda.pentagon.mil/FAQ/FringeOnAmFlag.htm>)
- Great opinion to cite in your motions *McCann v. Greenway*, 982 F. Supp. 647, 648 (W.D. Mo. 1997), in which Federal District Judge Whipple goes through the history and significance of flag fringes and eagles on flagpoles. Also has some great zingers about the intellectual "fitness" of this position.

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### FEDERAL RULES OF CIV PRO, RULE 2

- Rule 2. One Form of Action
  - There is one form of action—the civil action.
- A distinction between courts at law and courts in equity
  - actions in law and suits in equity
  - residual development from Ancient English legal tradition
  - Lord Chancellor presided over Court of Chancery (most famous are Sir Thomas More and Cardinal Thomas Wolsey)
  - courts of law could only award damages, courts of equity could issue injunctive/equitable relief.

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### FEDERAL RULES OF CIV PRO, RULE 2

- "The term "civil action" embraces, from its natural import, every species of "suit" not of a criminal kind, and comprehends every conceivable cause of action, whether legal or equitable, except such as are "criminal", in the sense that the judgment may be a fine or imprisonment." *Gillson v. Vendome Petroleum Corp.*, 35 F.Supp. 815, 819 (E.D. La. 1940)
- "[T]he Federal Rules of Civil Procedure are not binding in criminal proceedings." *United States v. Dickerson*, 166 F.3d 667, 679 (4th Cir. 1999) (Overruled on other grounds)

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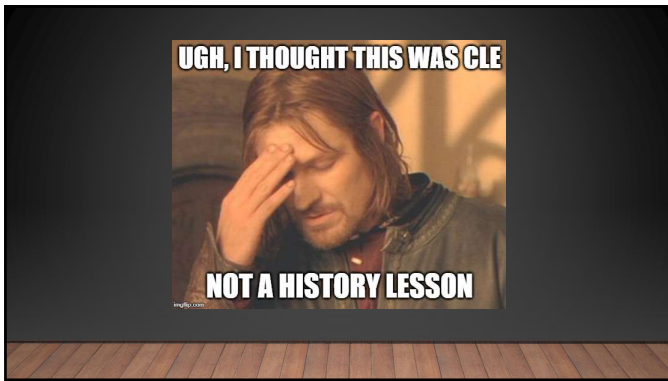
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### FEDERAL RULES OF CIV PRO, RULE 17(A)

- (a) Real Party in Interest.
  - (1) Designation in General. An action must be prosecuted in the name of the real party in interest. The following may sue in their own names without joining the person for whose benefit the action is brought:
    - (A) an executor;
    - (B) an administrator;
    - (C) a guardian;
    - (D) a bailee;
    - (E) a trustee of an express trust;
    - (F) a party with whom or in whose name a contract has been made for another's benefit; and
    - (G) a party authorized by statute.

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### FEDERAL RULES OF CIV PRO, RULE 17(A)

- Again, the rules of civil procedure do not bind criminal cases. *Dickerson*, supra.
- Even if they did, the following give us the power to prosecute public offense in the name of The State:
  - County Attorneys by A.R.S. §11-532(A)(1)
  - Attorney General by A.R.S. §41-193(A)
  - City prosecutors by, ummmm, seriously where is the statute?
    - At this point in the presentation Henry will put on full display his inability to use Lexis Nexus/Westlaw to research basic law.....

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**UNITED STATE V. INTERSTATE COMMERCE COMMISSION, 337 U.S. 426 (1949)**

- Cited by Sov Cits often as an attempt to dismiss case as there is no "real party in interest" behind the phantasmagorical title "The State".
- "Properly understood the general principle is sound, for courts only adjudicate justiciable controversies.... courts must look behind names that symbolize the parties to determine whether a justiciable case or controversy is presented." *Id* at 430.

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**UNITED STATE V. INTERSTATE COMMERCE COMMISSION, 337 U.S. 426 (1949)**

- "There is much argument with citation of many cases to establish the long-recognized general principle that no person may sue himself. Properly understood the general principle is sound, for courts only adjudicate justiciable controversies. They do not engage in the academic pastime of rendering judgments in favor of persons against themselves. Thus a suit filed by John Smith against John Smith might present no case or controversy which courts could determine. But one person named John Smith might have a justiciable controversy with another John Smith. This illustrates that courts must look behind names that symbolize the parties to determine whether a justiciable case or controversy is presented." *Id* at 430.

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### UNITED STATE V. INTERSTATE COMMERCE COMMISSION, 337 U.S. 426 (1949)

- In this case the US litigated railroad fees in front of the ICC. The ICC ruled against the US at the administrative level. US then filed suit in Article 3 Court to overturn ICC's administrative decision. US was statutorily obligated to substitute as a party for an claims against ICC in District Court. The Case then became *United States v. United States et al*
- The thrust of this case was to reaffirm the basic principle that one cannot sue oneself, not that there needs be a "real party" behind a title

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### CORPUS DELICTI

- Sov Cits will often argue that the matter should be dismissed because there is no corpus delicti as there is no "injury in fact". Overwhelmingly Sov Cits seem to cite to California Reporter decisions.
- In its simplest terms, the Corpus doctrine merely prevents convictions based solely on out of court uncorroborated confessions from the Defendant. Two things must be shown by the State before a confession can be admitted. 1. There must be proof, circumstantial or direct, that a crime occurred; and 2. Evidence that someone committed the crime. See *State v. Nieves*, 207 Ariz. 438 (Ariz App. 2004); *State v. Jones*, 198 Ariz. 18 (Ariz. App. 2000).

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### CORPUS DELICTI

- Remember and point out to the court in your responses, the Corpus Delicti rule in Arizona governs the use of *confessions* as evidence. See generally *State v. Morgan*, 204 Ariz. 166 (Ariz. App. 2002); *State v. Flores*, 202 Ariz. 221 (Ariz. App. 2002); *State ex rel. McDougall v. Superior Court*, 188 Ariz. 147 (Ariz. App. 1996).
- In essence, what the Sov Cits are trying to do is file a motion for dismissal for failure to prove the elements, especially in a case where there is no confession at issue. Obviously this is premature under Rule 20 as by its own terms the evidentiary phase must be closed. Ariz. R. Cim. P. 20.

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**27 CFR § 72.11**

- Sov Cits will also claim that because the Constitution has the Supremacy Clause, and 27 CFR §72.11 defines what a “commercial crime” is for ATF forfeiture purposes, all crimes are therefore commercial and only federally enforceable.
- The claim that “all crimes are commercial” is ridiculous. The statute reads specifically: “Commercial crimes. Any of the following types of crimes (Federal or State): Offenses against the revenue laws; burglary; counterfeiting; forgery; kidnapping; larceny; robbery; illegal sale or possession of deadly weapons; prostitution (including soliciting, procuring, pandering, white slaving, keeping house of ill fame, and like offenses); extortion; swindling and confidence games; and attempting to commit, conspiring to commit, or compounding any of the foregoing crimes. Addiction to narcotic drugs and use of marihuana will be treated as if such were commercial crime.”

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**18 USC § 242**

- For some reason, Sov Cits will reference 18 USC §242 as a form of implied threat to the Court and Prosecution. This section is a federal criminal corollary to 42 USC §1983 claims.
- This section gives Federal jurisdiction over State actors that violate constitutional rights “where unlawfulness is apparent.” *United States v. Lanier*, 520 US 259 (1997). These cases have to be pretty egregious to meet this standard. Example: *US v. Tarpley*, 945 F2d 806 (1991 CA5 Tex) compared with *Butler v. Sheriff of Palm Beach County*, 685 F.3d 1261 (11<sup>th</sup> Cir. 2012).

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## LEGAL WIZARDRY OR HOW TO SPOT A SOVEREIGN CITIZEN



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### LEGAL WIZARDRY - DIVESTMENT PROCESS

Divestment (asseveration) Process – A process to divest themselves of the artificial person and gain access to redemption account.

**Theory** – One must declare one's sovereign citizenship and renounce all contracts with the illegitimate government to divest of 14<sup>th</sup> amendment citizenship. Once that is accomplished one can access the funds held in the redemption account.



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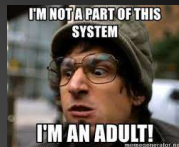
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### LEGAL WIZARDRY - DIVESTMENT PROCESS

#### Goals –

1. Citizenship – Renounce the 14<sup>th</sup> Amendment citizenship thereby becoming free from statutory authority.
2. Redemption – Remove the true person as surety for the “straw-man” giving the true person access to the redemption account with no recourse.



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## LEGAL WIZARDRY

If done properly:

- Sovereign Citizen is not subject to Federal and local statutes, only "common" or "natural" law
- Sovereign Citizen can now issue "Bill's of Exchange" to redeem funds in redemption account



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## LEGAL WIZARDRY- RIGHT TO TRAVEL

- Right to Travel is absolute therefore:
  - Governments cannot:
    - Require driver's license
    - Require license plates
    - Require vehicle registration
    - Stop a vehicle without probable cause that a crime has occurred (requires a victim)



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LEGAL WIZARDRY -  
RIGHT TO TRAVEL

- Distinctions in terms:
  - Driver vs. Traveler
  - Automobile vs. Motor Vehicle
  - Commercial vs. Personal
  - Public vs. Private Conveyance



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## LEGAL WIZARDRY - NAMES

**Goal-** The idea is to clearly delineate between the "Christian appellation" (first and middle name) and the government name (last name).

**Theory-** Any document that uses the normal name (such as legal filings) is referring to the "straw-man" and cannot impact the flesh and blood persona.

**Examples:**

- Rebekka Fitzpatrick;
- Thomas
- Josè-Roberto: Dominguez
- Robert-Mason of the Clan Simpson
- Victoria; Harding
- Treat-Roger: Davidson
- Edgar Louis,, Jackson
- Louise Mary [note: no last name]

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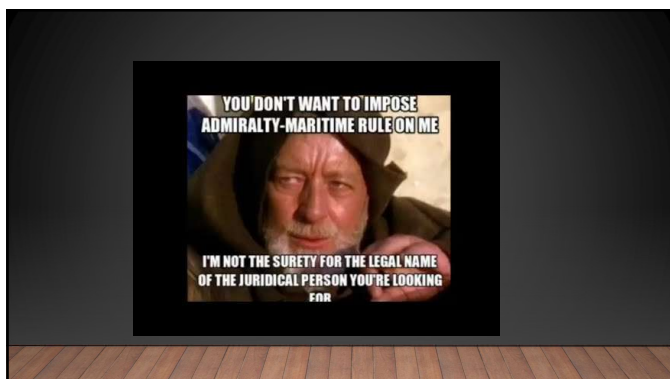
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## LEGAL WIZARDRY - SIGNATURES

### Goals –

1. Reserve the status of "sovereign".
2. Avoid entering into a contract with the government that would place them under the government's jurisdiction.

*Handwritten note:* Use PK: All Rights Reserved UCC 1-308

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### Examples of signatures for the flesh and blood persona:

Brenda-Sue Robinson, sui juris  
 Anthony Baumgartner, UCC1-308  
 Daniel-Ezekiel Ratner, without prejudice UCC1-207  
 Connie Sue of the family Britton – Suea potestate esse  
 Mario-Michael, Antonelli A Man Upon the Land  
 Gary George Wanamaker, in my natural life  
 Muhammad, Anaid-EI, Human Being  
 Beverly-Ramona Huggins, Natural Person  
 Emma Anne, Smith, In Propria Persona  
 Karen Marie Redcloud, TDC Eduardo-Diego, Rivera, Under Duress, Threat and Coercion  
 Arnold Everett: Krieger©  
 Ursula Phoebe Ephraim, autograph common law copyright 2016

### Examples of signatures for the Strawman:

Carson-Craig: O'Brien, Secured Party Creditor  
 James Jonathan Smith, Executive Trustee for the Trust known as JAMES JONATHAN SMITH

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## LEGAL WIZARDRY - ADDRESSES

### Zip Codes

**Theory** – The use of zip codes creates a contract with the Federal Government by acknowledging the Federal Government's power to create mailing codes.

Original practice was to omit zip code with no explanation – but mail didn't get delivered

### Examples:

zip exempt  
 postal code [32941]  
 near (42179)  
 (42179)

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LEGAL WIZARDRY -  
ADDRESSES

### Name of State

Theory – Postal abbreviations for their state is an attempt to prioritize the Federal government over the state

Goal - To identify as state citizens rather than U.S. citizens

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LEGAL WIZARDRY -  
ADDRESSES

Example:

Always spell out name of state

State of Arizona

Virginia Republic

Texas State Republic

Non-Federal Zone

Without the U.S.

Anystate, uSA

Moorish Sovereign Citizens - Create new names for the state

Tsenocomoco Territory (Virginia Republic)

Yamassee Territory (Georgia Republic)

De'twah (Detroit) Michigan Republic Northern Washitaw Amaruka

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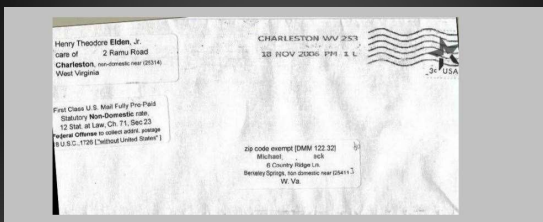
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LEGAL WIZARDRY -  
QUIZ

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## MOST COMMON CRIMES

- Tax evasion
- Fraud related to redemption theory
- Fake official documents such as license plate and driver's license
- Violence against law enforcement
- Paper terrorism

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CRIMES VIOLENCE AGAINST  
LAW ENFORCEMENT

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## SOVEREIGN CITIZENS IN COURT

### Tactics:

- Challenge jurisdiction
- Refuse to identify themselves
- Demand that Government present the victim
  - They believe all crimes must have a victim
  - Only a "De Jure" person may be a victim
- Ask the judge about their oath
- Challenge court based on type of flag

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## SOVEREIGN CITIZENS IN COURT

### Other oddities

- Red ink
- Thumb print
- ALLCAPS – refers to "straw-man"

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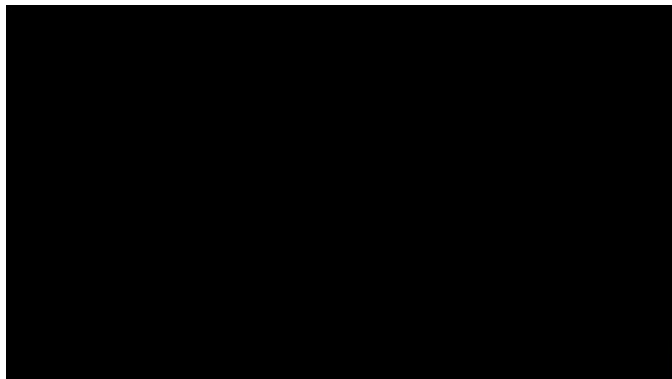
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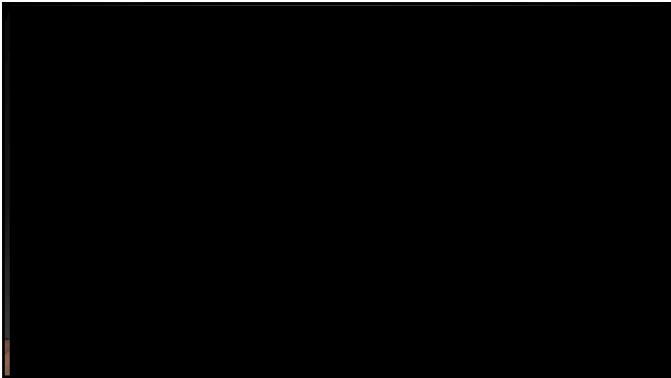
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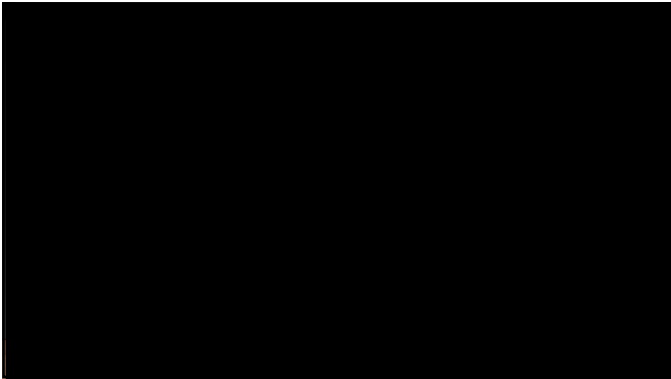
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